

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Grasshopper House, LLC, a California limited liability company doing business as Passages Malibu, **Passages Silver Strand, LLC**, a California limited liability company,

Plaintiffs,

vs.

Accelerated Recovery Centers, LLC, a Georgia limited liability company, **Renaissance Malibu Foundation**, a California non-profit corporation, and **Baldwin Research Institute, Inc.**, a New York non-profit corporation,

Defendants.

Civil Case No.: 3:09-CV-778-HA

**[Proposed] JUDGMENT
AGAINST DEFENDANT
RENAISSANCE MALIBU
FOUNDATION**

Defendant Renaissance Malibu Foundation was served and did not file its appearance, and this Court entered an order of default against said defendant. Plaintiffs have submitted Declarations in this civil action in support of plaintiffs' claims for damages and injunctive relief, and based upon the record herein,

IT IS ORDERED that plaintiffs Grasshopper House, LLC, and Passages Silver Strand, LLC, recover from the defendant Renaissance Malibu Foundation the amount of \$750,000.00, with post-judgment interest at the rate of 0.36%, along with costs and reasonable attorney fees.

IT IS FURTHER ORDERED that plaintiffs' claim for attorney fees and costs will be made by motion filed no later than 14 days after the entry of judgment herein.

IT IS FURTHER ORDERED that defendant Renaissance Malibu Foundation, and its officers, directors, employees, agents, servants, and all persons, firms, corporations, franchisees and associates in concert or participation with Defendants are permanently enjoined from doing any of the following:

- a. conducting or doing business, in any capacity, using plaintiffs' trade dress or trademarks, or any confusingly similar marks, trade dress, designations or variations thereof;
- b. using the plaintiffs' trademarks "Passages", "Passages Silver Strand" and "Passages Malibu" or trade dress, or any confusingly similar marks, trade dress, derivative or form thereof, in connection with the advertisement, sale or offering for sale of goods and services, including (i) use in any internet advertising programs (including as text, headlines or keywords), promotional materials, and web sites;
(ii) use as a targeted keyword phrase in internet advertising; and (iii) use as Google Adwords or similar search engine advertising use.

- c. falsely or inaccurately describing or designating the origin of or other facts related to any goods or services in any manner that is likely to cause confusion, mistake or deception as to the affiliation, connection and association of defendant Renaissance Malibu Foundation with Plaintiffs;
- d. engaging in any conduct violative of 15 U.S.C. § 1125(a);
- e. engaging in any conduct violative of Cal. Bus. & Prof Code § 17200.

DATED November __ , 2009

Ancer L. Haggerty

United States District Court